

Rule 375-5-2-.11 Driver Training School and/or Limited Driver Training School Office Requirements

- (1) A residence may not be used to provide classroom instruction or behind the wheel instruction, except when such residence meets all the qualifications of a school and provided that such operation is not in conflict with local zoning laws regulating commercial businesses and the residence has a separate public outside entrance for the driver training school, limited driver training school and a separate restroom facility.
- (2) A driver training school and/or limited driver training school shall maintain an office in the following manner:
 - (a) The license of the school must be conspicuously displayed in a public location.
 - (b) The school shall permit authorized representatives of the Department of Driver Services to make periodic scheduled and unscheduled inspections of all school facilities. During such inspection, each owner, partner, associate, corporate director, officer, manager, or employee of the school shall cooperate with the Department's representatives and upon demand, shall exhibit all records or other documents that are required to be maintained by such school under this Chapter.
 - (c) The telephone must be used exclusively for the operation of the school.
 - (d) Sufficient indoor space must be provided for the purpose of instruction, to include individual desks or table with chairs to accommodate students comfortably. Classes of instruction are limited to a maximum number of forty (40) students per class unless the Department determines that the space is inadequate for that number of students. In those situations, the maximum number will be calculated on twenty square feet per student and instructor. The minimum square feet of an indoor classroom must be at least 300 square feet of useable classroom space. Programs licensed prior to the enactment of the 300 square foot minimum may continue to utilize existing classrooms that satisfied the prior requirement of 250 square feet. Such programs may not add new classrooms that are less than 300 square feet in size. The maximum number of students per class determined by the Department does not supersede the occupancy load or maximum for the building determined by the local governing entity (i.e. county or city fire marshal, inspector, or agent). A copy of the Certificate of Occupancy must be submitted during the certification application process.
 - (e) Each school shall be inspected by the respective municipal or county government to ensure that the facilities of such school are in compliance with fire, sanitation, and building requirements in force and effect at the time of the commencement of operations of such school at such location or with the requirements imposed thereafter in conjunction with modifications or improvements previously made to such facilities. Copies of such inspection reports shall be made available upon request to the Department. In addition, the Department shall inspect the designated office space prior to approval of any application submitted to the Department.
 - (f) An employee of the school must be available to furnish information of operation or to produce necessary records or documents whenever requested by a member of the Department.

- (g) The business office of the school cannot be operated entirely through a telephone answering service or telephone answering machine.
- (h) A driver training school shall maintain business hours of at least fifteen (15) hours per week, half of which must fall within the Department's normal business hours. An employee of the driving training school and/or limited driver training school must be available during this time to furnish information of operation, verify attendance to a class, or to produce the necessary records or documents whenever requested by a member of the Department. The school may close for a lunch hours at a set time upon notice to the Department of the scheduled lunch hour. The school shall be responsible for notifying the Department of those times during which the business office will be closed for lunch or vacation and of the regularly scheduled hours of operation of the business office.
- (i) Any school or classroom facility utilized for or approved for the purposes of a driver training school and/or limited driver training school shall comply with the requirements set forth by the Americans with Disabilities Act of 1990, before a permit or license is issued. The owner shall certify to the Department that the facility complies with the Act and its implementing regulations.
- (j) Any school, office, or classroom facility utilized for or approved for the purpose of a driver training school and/or limited driver training school shall be clean and safe from health hazards such as rodents, pest infestation, and mold.
- (k) A virtual driver training school shall furnish to the Department, upon request, reports of all students attending the virtual program. Reports must be in the prescribed format of the Department.
- (l) A virtual driver training school must provide a "student help desk" for technical support.

Authority: O.C.G.A. §§ 43-13-4, 43-13-8.

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this amendment is to add verbiage regarding maximum occupancy determined for the building due to issues found with the maximum determined for students per class being higher than the occupancy maximum determined for the building. In the past, the certificate of occupancy was not required but was sometimes still submitted. In recent scenarios, the Department found that the occupancy maximum established by the county's fire marshal was significantly lower than what was determined (for the classroom) by the Department's measurements.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

This proposed amendment requires the maximum number of students per class determined by the Department not to supersede the occupancy load or maximum for the building determined by the local governing entity (i.e. county or city fire marshal, inspector,

or agent). A copy of the Certificate of Occupancy must be submitted during the certification application process. Any school, office, or classroom facility utilized for or approved for the purpose of a driver training school and/or limited driver training school shall be clean and safe from health hazards such as rodents, pest infestation, and mold. The rule title is also updated to be more specific.